

REMARKS

Claims 1 and 23 are pending in the present application. Claims 2-22 and 24-46 have been cancelled without prejudice or disclaimer to the subject matter contained therein.

Rejection under 35 U.S.C. §102(e) over Czerwinski et al.

Claims 1 and 23 have been rejected under 35 U.S.C. §102(e) as being unpatentable over Czerwinski et al. (Published US Patent Application 2004/0066414). This rejection under 35 U.S.C. §102(e), in view of the amendments set forth above, is respectfully traversed.

In formulating the rejection under 35 U.S.C. §102(e), the Examiner alleges that Czerwinski et al. discloses a method that selects a first icon associated with a first opened document being displayed on the electronic desktop of the electronic device; places the first icon associated with the first opened document onto a second icon associated with a second opened document; modifies an appearance of the first icon associated with the first opened document to represent a portion of a virtual pile of opened documents when the first icon associated with the first opened document is placed onto the second icon associated with the second opened document; maintains an appearance of the second icon when the first icon is placed onto the second icon; selects a third icon associated with a third opened document being displayed on the electronic desktop of the electronic device; places the third icon associated with the first opened document onto the second icon associated with the second opened document; modifies an appearance of the third icon associated with the third opened document to represent a portion of the virtual pile of opened documents when the third icon associated with the third opened document is placed onto the second icon associated with the second opened document; and maintains the appearance of the second icon when the third icon is placed onto the second icon.

From these allegations, the Examiner concludes that Czerwinski et al. anticipates the presently claimed invention. This conclusion is respectfully traversed in view of the amendments set forth above.

Amended independent claim 1 recites a method for managing a plurality of opened documents being displayed on an electronic desktop of an electronic device, an

opened document being an application invoked created area on the electronic desktop of the electronic device by displaying a first icon associated with a first opened document in a predetermined form; displaying a second icon associated with a second opened document in the predetermined form; displaying a third icon associated with a third opened document in the predetermined form; selecting the first icon associated with the first opened document being displayed on the electronic desktop of the electronic device; placing the first icon associated with the first opened document onto the second icon associated with the second opened document; modifying an appearance of the first icon associated with the first opened document to display a first single line segment when the first icon associated with the first opened document is placed onto the second icon associated with the second opened document; displaying a virtual pile icon representing a virtual pile when the first icon is placed onto the second icon, the virtual pile icon having an appearance of the second icon in the predetermined form with the first single line segment representing the first icon associated with the first opened document thereunder; selecting the third icon associated with the third opened document being displayed on the electronic desktop of the electronic device; placing the third icon associated with the third opened document onto the virtual pile icon; modifying an appearance of the third icon associated with the third opened document to display a second single line segment when the third icon associated with the third opened document is placed onto the virtual pile icon; and modifying the appearance of the virtual pile icon, the virtual pile icon having the appearance of the second icon in the predetermined form with the first single line segment representing the first icon associated with the first opened document and the second single line segment representing the third icon associated with the third opened document thereunder.

Czerwinski et al. teaches, at paragraph [0037], and illustrates in Figures 2A and 2B, a method that creates a group icon **126** when two icons (**118, 120**), having an appearance of an oval, are joined together. As clearly illustrated in Figures 2A and 2B, the group icon **126** provides a border around the two icons (**118, 120**) to illustrate the relationship; however, Czerwinski et al. teaches and illustrates that the oval appearance of the two icons (**118, 120**) within the group icon **126** are maintained. Moreover, in Figure 7, Czerwinski et al. teaches and illustrates that the oval appearance of the icons (**118, 120, and 140**) within the group icon **140** are maintained. Thus, Czerwinski et al.

teaches the creation of a group icon, but that the individual icons, which created the group, are **not** modified in appearance, but remain unchanged.

In contrast, amended independent claim 1 recites a method that modifies an appearance of the first icon associated with the first opened document to display a first single line segment when the first icon associated with the first opened document is placed onto the second icon associated with the second opened document. Moreover, amended independent claim 1 recites displaying a virtual pile icon representing a virtual pile when the first icon is placed onto the second icon, the virtual pile icon having an appearance of the second icon in the predetermined form with the first single line segment representing the first icon associated with the first opened document thereunder.

In other words, the virtual pile icon of amended independent claim 1 includes the second icon in the predetermined form (unchanged) and the first single line segment representing the first icon (changed) associated with the first opened document.

Furthermore, amended independent claim 1 recites modifying an appearance of the third icon associated with the third opened document to display a second single line segment when the third icon associated with the third opened document is placed onto the virtual pile icon and modifying the appearance of the virtual pile icon, the virtual pile icon having the appearance of the second icon in the predetermined form with the first single line segment representing the first icon associated with the first opened document and the second single line segment representing the third icon associated with the third opened document thereunder.

Therefore, Czerwinski et al. fails to teach or anticipate (1) modifying an appearance of the first icon associated with the first opened document to display a first single line segment when the first icon associated with the first opened document is placed onto the second icon associated with the second opened document; (2) displaying a virtual pile icon representing a virtual pile when the first icon is placed onto the second icon, the virtual pile icon having an appearance of the second icon in the predetermined form with the first single line segment representing the first icon associated with the first opened document thereunder; (3) modifying an appearance of the third icon associated with the third opened document to display a second single line segment when the third icon associated with the third opened document is placed onto

the virtual pile icon; and/or (4) modifying the appearance of the virtual pile icon, the virtual pile icon having the appearance of the second icon in the predetermined form with the first single line segment representing the first icon associated with the first opened document and the second single line segment representing the third icon associated with the third opened document thereunder, as set forth by amended independent claim 1.

With respect to dependent claim 23, the Applicant, for the sake of brevity, will not address the reasons supporting patentability for this individual dependent claim, as this claim depends directly from allowable independent claim 1. The Applicant reserves the right to address the patentability of this dependent claim at a later time, should it be necessary.

Accordingly, in view of the amendments and remarks set forth above, the Examiner is respectfully requested to reconsider and withdraw the rejection under 35 U.S.C. §102(e).

CONCLUSION

Accordingly, in view of all the reasons set forth above, the Examiner is respectfully requested to reconsider and withdraw the present rejection. Also, an early indication of allowability is earnestly solicited.

Respectfully submitted,



Michael J. Nickerson
Registration No. 33,265
Basch & Nickerson LLP
1777 Penfield Road
Penfield, New York 14526
Telephone: (585) 899-3970 Ext. 105
Customer No. 37211

MJN/mjn